

PUBLIC NOTICE:  
RE: RESOLUTION OF  
INTENT 21-20

The Lake County Commissioners conducted a public hearing on August 30, 2021 to take comment on Resolution of Intent 21-20, a resolution, that if approved, would cease billing, collecting, and distributing of any fees or assessments related to the Flathead Indian Irrigation Project. The Commissioners tabled any action on the resolution at the conclusion of the hearing.

The Commissioners have scheduled a public hearing on Wednesday, July 20, 2022, at 10 a.m. in the Commissioners' Chambers to consider additional action related to the Resolution of Intent.

The Commissioners will accept public comment on the Resolution of Intent by mail or email, and public comment will be heard at the hearing. Commissioners can be emailed at: lakecommissioners@lakemt.gov or hard copy to Lake County Commissioners, 106 4th Ave. East, Polson, MT 59860.

RESOLUTION OF INTENT 21-20  
WHEREAS, Montana Code Annotated 85-7-2133, (Sec. 2) states that the county treasurer is the custodian of all funds belonging to the (irrigation) district; and,

WHEREAS, the county treasurer shall pay out the funds upon the order of the board of the commissioners of the irrigation district; and,

WHEREAS, the Montana Water Rights Protection Act, Section 13 (a) (k), designates the Secretary of the Interior as the entity with legal authority and responsibility to operate the Mission Valley Division of the Flathead Indian Irrigation Project; and,

WHEREAS, the Montana Water Rights Protection Act, Section 13 I (1), provides that the irrigation districts may enter into an agreement with the Tribes, (Confederated Salish and Kootenai), to operate and maintain the FIIP; and,

WHEREAS, no Irrigation District or the Tribes have requested or made an agreement to operate the FIIP.

Therefore it is no longer necessary, or appropriate, for the County to facilitate billing and collection of irrigation assessments; and,

WHEREAS, MCA 85-7-2155 provides authority for the Board of County Commissioners to sell land

when taxes and assessments of the irrigation district are not redeemed within the time; and

WHEREAS, Montana Code Annotated 85-7-2108 requires that any special tax assessment levied for any purpose shall be a lien upon the land; and,

WHEREAS, the MWRPA Sec. 13 (b) extinguishes all liens on properties served by the FIIP; and,

WHEREAS, the County has no process available to collect unpaid irrigation fees or assessments;

WHEREAS, it is the intent of the County, beginning in tax year 2022, that the Lake County Treasurer will cease billing, collecting, and distributing any fees or assessments related to the Flathead Indian Irrigation Project;

NOW, BE IT RESOLVED that there will be a public hearing on Monday, August 30, 2021, at 1:30 pm, relative to this resolution;

PASSED AND ADOPTED THIS 28th DAY OF JULY, 2021.

BOARD OF LAKE COUNTY  
COMMISSIONERS

/s/ William D. Barron, Chairman

/s/ Dave Stipe, Member

/s/ Gale Decker, Member

Attest: /s/ Katie Harding,  
Clerk & Recorder

July 6 and 13, 2022  
MNAXLP